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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/088,030

Applicant(s)

ALLAWAY ET AL.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 16-19 and 31-68 is/are pending in the application.  
4a) Of the above claim(s) 5-15 and 20-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 16-19 and 31-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/20/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

Claims 5-15 & 20-30 are cancelled as pre-amendment filed on 3/24/2002.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4, 16-19, 31-34, 36-43, 45-48 & 60, 62-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmid et al. [US 5950129] (hereinafter Schmid) in view of Chambers [US 20010011016] (hereinafter Chambers).

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1. Regarding claim 1, Schmid disclose apparatus for enabling a first termination point of a first telecommunications system to initiate call diversion instructions in the switching system of a second telecommunications system such that calls initially directed to a telephone apparatus usable with the second telecommunications system are diverted lo a selected termination point in the first telecommunications system (abstract), the apparatus comprising:

means in the first telecommunications system for identifying the telephone apparatus from which calls are to be diverted and the selected termination point to which calls are to be diverted, (col.6; 26-35) and

an interface (G-MSC; 73; fig.4) means between the first telecommunications system and the switching system of the second telecommunications system, (col.6; 26-35) the interface means comprising: means to generate an instruction to the switching system to divert calls, intended for the telephone apparatus, to the said selected termination point of the first telecommunications system when the telephone apparatus is indicated as being in the said predetermined operating condition. (col.6; 53-58)

Schmid fails to disclose the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone apparatus However, Chambers teaches in an analogous art, that means to indicate to the switching system that the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone apparatus, (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone

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apparatus in order to provide a command for diverting the call from one device to another device.

2. Regarding claim 2, Schmid disclose Apparatus according to claim 1, wherein the first termination point is provided with reading apparatus for reading an information carrier encoded with the user's identity. (SIM; col.4; 56-col.5; 7)

3 Regarding claim 3, Schmid disclose Apparatus according to claim 2, wherein the reading apparatus is arranged to co-operate with the part of a cellular telephone containing the user identity. (SIM; col.4; 56-col.5; 7)

4. Regarding claim 4, Schmid disclose Apparatus according to claim 1, wherein the first termination point is associated with an audio or visual display apparatus, and is provided with means for detecting a ringing tone delivered to the first termination point, and means for generating a signal for transmission to the display apparatus in response to said ringing tone, in order to cause the display apparatus to display a call alert indication. (alerting by ring...light flashes; col.6; 54-58)

16. Regarding claim 16, Schmid disclose method of initiating, from a first termination point of a first telecommunications system, call diversion instructions in the switching system of a second telecommunications system such that calls initially directed to a telephone apparatus usable with

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the second telecommunications system are diverted to a selected termination point in the first telecommunications system (abstract, col.6; 26-35), the method comprising the steps of; in the first telecommunications system, identifying the telephone apparatus from which calls are to be diverted and the selected termination point to which calls are to be diverted, (col.6; 26-35) and generating an instruction to the switching system to divert calls, intended for the telephone apparatus, to the said selected termination point of the first telecommunications system when the telephone apparatus is indicated as being in the said predetermined operating condition. (col.6; 53-58)

Schmid fails to disclose the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone apparatus. However, Chambers teaches in an analogous art, that indicating to the switching system of the second telecommunications system that the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone apparatus, (call ... diverted; pg.2; 0026). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the telephone apparatus is in a specified operating condition, irrespective of the true operating condition of the telephone apparatus in order to provide a command for diverting the call from one device to another device.

17. Regarding claim 17, Schmid discloses Method according to claim 16, wherein the first termination point in the first network reads an information carrier encoded with the user's identity. (SIM; col.4; 56-col.5; 7)

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18. Regarding claim 18, Schmid disclose Method according to claim 16, wherein the reading apparatus co-operates with the part of a cellular telephone containing the user identity. (SIM; col.4; 56-col.5; 7)

19. Regarding claim 19, Schmid disclose A method according to claim 16, wherein when ringing tone is delivered to the selected termination point, a signal is transmitted to an audio or visual display apparatus associated with the selected termination point, to cause the display apparatus to display a call alert indication. (alerting by ring...light flashes; col.6; 54-58)

31. Regarding claim 31, Schmid disclose a method for forwarding incoming cellular communications to an aircraft, (abstract) comprising;  
receiving a request to divert incoming calls for a cellular telephone number to a communication system on board an aircraft; associating a diversion instruction with the cellular telephone number, the diversion instruction representing an instruction to forward an incoming call for the cellular telephone number to the communications system aboard the aircraft; (col.6; 26-35) and wherein, an incoming telephone call to the cellular telephone number is forwarded, consistent with said considering and in accordance with the diversion instruction, to the communications system on board the aircraft. (col.6; 53-58)

Schmid fails to disclose considering a state of a cellular telephone associated with the cellular telephone number as busy, regardless of an actual state of the cellular telephone.

However, Chambers teaches in an analogous art, that considering a state of a cellular telephone

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associated with the cellular telephone number as busy, regardless of an actual state of the cellular telephone, (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include considering a state of a cellular telephone associated with the cellular telephone number as busy, regardless of an actual state of the cellular telephone in order to provide a command for diverting the call from one device to another device.

32. Regarding claim 32, Schmid disclose The method of claim 31, wherein said associating a diversion instruction comprises giving priority to an address of the communications system on board the aircraft over any previous diversion instruction. (col.6; 35-48)

33. Regarding claim 33, Schmid disclose The method of claim 31, wherein the communication systems on board the aircraft is a telephonic device aboard the aircraft. (113; fig.4; col.6; 61-67)

34. Regarding claim 34, Schmid disclose The method of claim 31, wherein the communication system on board the aircraft is a communication device electrically coupled with a cellular telephone aboard the aircraft. (114; fig.4; col.6; 61-67)

36. Regarding claim 35, Schmid disclose The method of claim 33, wherein the telephonic device is an aircraft telephone handset station. (113; fig.4; col.6; 61-67)



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37. Regarding claim 37, Schmid disclose The method of claim 31, wherein said associating a diversion instruction comprises modifying a preset diversion instruction associated with the cellular telephone to include the communication system on board the aircraft. (col.5; 38-51)

38. Regarding claim 38, Schmid disclose The method of claim 31, further comprising: receiving an incoming call for the cellular telephone number; and forwarding the incoming call to the communication system on board the aircraft. (col.5; 52-65)

39. Regarding claim 39, Schmid disclose all the particulars of the claim except diverting, in response to an actual state of the cellular telephone being busy. However, Chambers teaches in an analogous art, that the method of claim 31, the cellular telephone having at least one original diversion instruction prior to said associating a diversion instruction, the method further comprising; receiving an incoming call for the cellular telephone number; diverting, in response to an actual state of the cellular telephone being busy, the incoming call consistent with the at least one original diversion instruction. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include diverting, in response to an actual state of the cellular telephone being busy in order to provide a command for diverting the call from one device to another device.

40. Regarding claim 40, Schmid disclose a method for routing incoming cellular telephone traffic through a land- based host network (ground-based; col.6; 26-35) to a cellular device user

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aboard an aircraft, the cellular device user having an associated cellular telephone number,

(col.6; 26-35) comprising:

receiving, at the host network, a request to register the presence of the cellular device user aboard the aircraft; (stores...memory; col.5; 38-51)

the host network advising the cellular device user's home network that the cellular device user is within the operating jurisdiction of the host network, (HLR; col.5; 38-51)

wherein, upon receipt of an incoming call to the cellular telephone number, the host forwards an incoming call to the communication system on board the aircraft consistent with the primary divert on busy instruction. (col.6; 53-58)

Schmid fails to disclose associating, at the host network, a primary divert on busy instruction with the cellular telephone number. However, Chambers teaches in an analogous art, that associating, at the host network, a primary divert on busy instruction with the cellular telephone number, the divert on busy instruction representing an instruction to divert an incoming call to a communication system on board the aircraft, and considering a current operational state associated with the cellular telephone number as busy, regardless of an actual operational state of the cellular device; (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include associating, at the host network, a primary divert on busy instruction with the cellular telephone number in order to provide a command for diverting the call from one device to another device.

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41. Regarding claim 41, Schmid disclose The method of claim 40, wherein said associating a primary divert on busy instruction comprises giving an identifier of the communication system on board the aircraft priority over any preset divert on busy instruction. (col.6; 35-48)

42. Regarding claim 42, Schmid disclose The method of claim 40, wherein the communication system on board the aircraft is a telephonic device aboard the aircraft. (113; fig.4; col.6; 61-67)

43. Regarding claim 43, Schmid disclose The method of claim 40, wherein the communication system on board the aircraft is a communication device electrically coupled with a cellular telephone aboard the aircraft. (114; fig.4; col.6; 61-67)

45. Regarding claim 45, Schmid disclose The method of claim 42, wherein the telephonic device is an aircraft telephone handset station. (113; fig.4; col.6; 61-67)

46. Regarding claim 46, Schmid disclose The method of claim 40, wherein said associating the primary divert on busy instruction comprises modifying preset diversion instructions associated with the cellular telephone to include the communication system on board the aircraft. (col.5; 38-51)

47. Regarding claim 47, Schmid disclose The method of claim 40, further comprising: receiving an incoming call for the cellular telephone number; and forwarding the incoming call to the communication system on board the aircraft. (col.5; 52-65)

48. Regarding claim 48, Schmid disclose all the particulars of the claim except diverting, in response to an actual state of the cellular telephone being busy. However, Chambers teaches in an analogous art, that the method of claim 40, the cellular telephone having at least one original divert on busy instruction prior to said associating a primary divert on busy instruction, the method further comprising; receiving an incoming call for the cellular telephone number; and diverting, in response to an actual state of the cellular telephone being busy, the incoming call consistent with the at least one original divert on busy instruction. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include diverting, in response to an actual state of the cellular telephone being busy in order to provide a command for diverting the call from one device to another device.

60. Regarding claim 60, Schmid disclose a method of receiving a telephonic call placed to a mobile station at a telecommunications device on-board a vehicle (abstract) comprising: receiving a call forwarded from a home network, the call being placed to the mobile station; (col.6; 26-35) wherein the call terminates at the telecommunications device on-board the vehicle. (col.6; 53-58)

Schmid fails to disclose accessing a divert-on-busy instruction for the mobile station. However, Chambers teaches in an analogous art, that returning a busy signal for the mobile station regardless of an actual state of the mobile station; accessing a divert-on-busy instruction for the mobile station, and forwarding the call to the vehicle consistent with said accessing, (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art

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at the time of invention to include accessing a divert-on-busy instruction for the mobile station in order to provide a command for diverting the call from one device to another device.

62. Regarding claim 62, Schmid disclose all the particulars of the claim except setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device. However, Chambers teaches in an analogous art, that the method of claim 60, further comprising setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device in order to provide a command for diverting the call from one device to another device.

63. Regarding claim 63, Schmid disclose The method of claim 60, wherein the mobile station is associated with the home network, said method further comprising advising the home network that the cellular device is roaming on a host network. (col.5; 38-51)

Claims 50-51, 53-58, 64 & 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horrer [US 6321084] (hereinafter Horrer) in view of Chambers [US 20010011016] (hereinafter Chambers).

50. Regarding claim 50, Horrer disclose A method of registering to divert a telephone call to a telecommunications device on-board a vehicle, (register; col.3; 14-40) the method comprising;

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receiving first and second identification information, the first information being associated with a cellular device (SIM; col.3; 14-40), the second identification information being associated with the telecommunications device, (personal call numbers; col.3; 14-40)

Horrer fails to disclose associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction. However, Chambers teaches in an analogous art, that associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction; and setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device. (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction in order to provide a command for diverting the call from one device to another device.

51. Regarding claim 51, Horrер disclose The method of claim 50 further comprising the steps of: receiving a telephonic call intended for the cellular device; diverting the telephonic call to the on-board telecommunications device consistent with the primary divert on busy instruction. (col.6; 38-58)

53. Regarding claim 53, Horrер disclose all the particulars of the claim except diverting, in response to an actual state of the cellular telephone being busy. However, Chambers teaches in an analogous art, that the method of claim 50, wherein said associating comprises inserting a

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telecommunications device identifier as a primary divert on busy instruction within any existing divert on busy instructions. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include diverting, in response to an actual state of the cellular telephone being busy in order to provide a command for diverting the call from one device to another device.

54. Regarding claim 54, Horrer disclose The method of claim 50, wherein said receiving, associating and setting occur at a host network, the cellular device is associated with a home network different from the host network, and said method further comprising advising the home network that the cellular device is roaming within the coverage of the host network. (col.6; 38-58)

55. Regarding claim 55, Horrer disclose a method of registering to divert incoming cellular telephone calls to an on-board telecommunications device (abstract & col.3; 14-40), the method comprising:  
registering a cellular device as roaming on a host network regardless of the actual location of the cellular device relative to the host network, (abstract & col.3; 14-40) and

Horrer fails to disclose a primary divert-on-busy instruction of the cellular device as an on-board telecommunication device. However, Chambers teaches in an analogous art, that updating, in response to said registering, a primary divert-on-busy instruction of the cellular device as an on-board telecommunication device. (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a

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primary divert-on-busy instruction of the cellular device as an on-board telecommunication device in order to provide a command for diverting the call from one device to another device.

56. Regarding claim 56, Horrer disclose all the particulars of the claim except setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device. However, Chambers teaches in an analogous art, that the method of claim 55, further comprising setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device in order to provide a command for diverting the call from one device to another device.

57. Regarding claim 57, Horrer disclose The method of claim 55, wherein the cellular device is associated with a home network, said method further comprising advising the home network that the cellular device is roaming on the host network. (col.6; 38-58)

58. Regarding claim 58, Horrer disclose The method of claim 55 further comprising the steps of: receiving a telephonic call placed to the cellular device; and diverting the telephonic call to the on-board telecommunications device. (col.6; 38-58)



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64. Regarding claim 64, Horrer disclose a method of receiving a telephonic call placed to a cellular device at a telecommunications device on-board a vehicle (register; col.3; 14-40) comprising:

receiving first and second identification information, the first identification information being associated with a cellular device, (SIM; col.3; 14-40) said second identification information being associated with the telecommunications device; (personal call numbers; col.3; 14-40) setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device, receiving a call forwarded from a home network, , and forwarding the call to the telecommunications device consistent with said accessing; wherein the call terminates at the telecommunications device on-board the vehicle. (col.6; 38-58)

Horrer fails to disclose associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction. However, Chambers teaches in an analogous art, that associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction; and setting an indication of a status of the cellular device as busy regardless of an actual status of the cellular device, the call being placed to the cellular device, accessing the modified divert on busy instructions for the cellular device. (call ... diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include associating modified divert on busy instructions with the cellular device that identify the telecommunications device as a divert on busy instruction in order to provide a command for diverting the call from one device to another device.

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66. Regarding claim 66, Horrer disclose The method of claim 64, wherein the mobile station is associated with the home network, said method further comprising advising the home network that the cellular device is roaming on a host network. (col.6; 38-58)

67. Regarding claim 67, Horrer disclose all the particulars of the claim except inserting a telecommunications device identifier as a primary divert on busy instruction within any existing divert on busy instructions. However, Chambers teaches in an analogous art, that the method of claim 64, wherein said associating comprises inserting a telecommunications device identifier as a primary divert on busy instruction within any existing divert on busy instructions.

(call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include inserting a telecommunications device identifier as a primary divert on busy instruction within any existing divert on busy instructions in order to provide a command for diverting the call from one device to another device.

68. Regarding claim 68, Horrer disclose all the particulars of the claim except actual status of the cellular device is busy, the call consistent with the existing divert on busy instructions. However, Chambers teaches in an analogous art, that the method of claim 64, said method further comprising routing, when said actual status of the cellular device is busy, the call consistent with the existing divert on busy instructions. (call...diverted; pg.2; 0026) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include actual status of the cellular device is busy, the call consistent with the existing divert on busy instructions in order to provide a command for diverting the call from one device to another device.

Claims 35, 44, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmid & Chambers further in view of McKenna et al. [US 6408180] (hereinafter McKenna)

35. Regarding claim 35, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 31, wherein the communication system on board the aircraft is a facsimile machine. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

44. Regarding claim 44, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 40, wherein the communication system on board the aircraft is a facsimile machine. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

61. Regarding claim 61, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 60 wherein the on-board telecommunications device includes a facsimile device. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

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Claims 52, 59, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horrer & Chambers further in view of McKenna.

52. Regarding claim 52, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 50 wherein the on-board telecommunications device includes a facsimile device. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

59. Regarding claim 59, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 55 wherein the on-board telecommunications device includes a facsimile device. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

65. Regarding claim 65, the above combinations disclose all the particulars of the claim except a facsimile machine. However, McKenna teaches in an analogous art, that The method of claim 64 wherein the on-board telecommunications device includes a facsimile device. (col.17; 35-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a facsimile machine in order to provide services in a unified manner.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 49 is rejected under 35 U.S.C. 102 (e) as being anticipated by Horrер.

49. Regarding claim 49, Horrер disclose A method for receiving aboard an aircraft incoming calls for a cellular device user aboard the aircraft (abstract; col.3; 14-40), comprising: receiving, at a telephonic device aboard the aircraft, user data associated with a cellular telephone account having an associated cellular telephone number, (call...rerouting; col.3; 14-40) and sending, from the aircraft at least the user data and seat data identifying said telephone interface; (call...forwarded; col.3; 14-40) wherein information sent from the aircraft in said sending represents a request to redirect an incoming call for the cellular telephone number to the telephonic device. (col.6; 38-58)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu.(8-5:30) alternate Fri.(8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or [EBC@uspto.gov](mailto:EBC@uspto.gov).



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5 January 2005

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